

REMARKS

Applicants thank the Examiner for the Examiner's comments, which have greatly assisted Applicants in responding. Applicants respectfully request that the
5 Amendment After Final Office Action be admitted under 37 C.F.R. 1.116.

Applicants submit that this amendment presents claims in better form for consideration on appeal and arguments for allowance of the claims as presented. Applicants submit that, thus, there is a good and sufficient reason why this
10 amendment is necessary, why this amendment was not earlier presented, and why this amendment should be admitted now. Furthermore, Applicants believe that consideration of this amendment could lead to favorable action that would remove one or more issues for appeal.

15 Claims 1-15, 24-36, 45 and 46 are pending in the present application. Applicants respectfully request reconsideration of the present application and allowance of the claims in light of the following arguments.

Claim Rejections under 35 USC § 103.

20

Claims 1-4, 7-15, 24, 25, 28-36, 45, and 46 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,619,648 to Canale et al. (hereinafter "Canale") In view of U.S. Patent No. 6,185,599 to Salimando (hereinafter "Salimando"). Applicants respectfully submit that Canale and Salimando, taken
25 alone or in combination, fail to teach, suggest, or render obvious the present invention as claimed.

Independent Claims 1 and 24 recite a system and/or method comprising, *inter alia*, an advice provider which broadcasts information over a communications medium to
30 target situations based on an arbitrary combination of computationally verifiable conditions of an advice consumer computer and its environment, wherein said advice consumer is advised of said information only if said information meets certain

predetermined relevance criteria. Independent Claim 45 recites a system comprising, *inter alia*, an advice provider which broadcasts information over a communications medium to target situations based on an advice consumer profile, wherein said advice consumer is advised of said information only if said information
5 meets certain predetermined relevance as a result of a relevance evaluation, wherein said relevance evaluation optionally occurs in an environment that is remote from that of said advice consumer.

Looking at the cited references, Canale discloses message filtering techniques for
10 reducing the amount of junk e-mail received by a user. The user has an e-mail filter which uses non-address information and model information to determine whether the e-mail message should be provided to the user and uses non-address information and model information of the user's correspondents to determine who the message might be forwarded to. Canale fails to teach or suggest an advice provider which
15 broadcasts information over a communications medium to target situations based on an arbitrary combination of computationally verifiable conditions of an advice consumer computer and its environment, wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance criteria, as claimed in independent Claims 1 and 24. Further, Canale fails to teach or
20 suggest an advice provider which broadcasts information over a communications medium to target situations based on an advice consumer profile, wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance as a result of a relevance evaluation, wherein said relevance evaluation optionally occurs in an environment that is remote from that of
25 said advice consumer, as claimed in independent Claim 45.

Salimando does not remedy any of the deficiencies of Canale. Salimando discloses a communication circulation system using data tagging and data scanning. Salimando is only cited for the broadcasting of information to target situations.
30 Salimando fails to teach or suggest an advice provider which broadcasts information over a communications medium to target situations based on an arbitrary combination of computationally verifiable conditions of an advice consumer computer

and its environment, wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance criteria, as claimed in independent Claims 1 and 24. Further, Salimando fails to teach or suggest an advice provider which broadcasts information over a communications medium to target situations based on an advice consumer profile, wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance as a result of a relevance evaluation, wherein said relevance evaluation optionally occurs in an environment that is remote from that of said advice consumer, as claimed in independent Claim 45.

Furthermore, Canale fails to teach or suggest a combination with Salimando and Sallimando fails to teach or suggest a combination with Canale. It would be impermissible hindsight based on Applicants' own disclosure to incorporate the teachings of Salimando into Canale in order to arrive at the present invention.

Moreover, such a combination would still fail to teach or suggest an advice provider which broadcasts information over a communications medium to target situations based on an arbitrary combination of computationally verifiable conditions of an advice consumer computer and its environment, wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance criteria, as claimed in independent Claims 1 and 24. Further, the combination would still fail to teach or suggest an advice provider which broadcasts information over a communications medium to target situations based on an advice consumer profile, wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance as a result of a relevance evaluation, wherein said relevance evaluation optionally occurs in an environment that is remote from that of said advice consumer, as claimed in independent Claim 45.

Therefore, Applicants submit that claims 1, 24, and 45, are patentable and not obvious over Canale in view of Salimando, taken alone or in combination, and should be allowed. Claims 2-4, 7-15, 25, 28-36, and 46, dependent directly or indirectly from independent Claims 1, 24, and 45, respectively, are also patentable

and not obvious over Canale in view of Salimando, taken alone or in combination, and should also be allowed at least for the same reasons as stated above. Thus, Applicants respectfully request withdrawal of the rejections and allowance of the Claims.

5

Claims 5, 6, 26, and 27 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,619,648 to Canale et al. (hereinafter "Canale") In view of U.S. Patent No. 6,185,599 to Salimando (hereinafter "Salimando") and further in view of
10 U.S. Patent No. 5,633,910 to Cohen et al. (hereinafter "Cohen"). Applicants respectfully submit that Canale, Salimando and Cohen, taken alone or in combination, fail to teach, suggest, or render obvious the present invention as claimed.


15 Claims 5, 6, 26, 27 depend directly or indirectly from allowable independent Claims 1 and 24. Cohen does not remedy any of the deficiencies of Canale and Salimando and fails to teach or suggest an advice provider which broadcasts information over a communications medium to target situations based on an arbitrary combination of
20 computationally verifiable conditions of an advice consumer computer and its environment, wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance criteria, as claimed in independent Claims 1 and 24. Thus, Applicants respectfully request withdrawal of the rejections and allowance of the Claims.

CONCLUSION

Based on the foregoing, Applicants consider the claimed invention to be distinguished from the art of record. Accordingly, Applicants earnestly solicit the
5 Examiner's withdrawal of the rejections raised in the above referenced Office Action, such that a Notice of Allowance is forwarded to Applicants, and the present application is therefore allowed to issue as a United States Patent.

Respectfully Submitted,

10


Florin Corie
Reg. No. 46,244

15 Customer No. 22862

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.